

United States District Court

District of the Northern Mariana Islands

FILED
Clerk
District Court

MAR 5 2008

For The Northern Mariana Islands
By _____
(Deputy Clerk)

UNITED STATES OF AMERICA,)
Plaintiff,)

NOTICE OF APPEAL

-v-

D.C. DOCKET NUMBER: CR-07-00024-001

Sun, Wei Qiu

Hon. Alex R. Munson

Defendant,)

(District Court Judge)

Notice is hereby given that Sun, Wei Qiu appeals to the
United States Court of Appeals for the Ninth Circuit from the:

☐ Conviction only (Fed. R. Crim P. 32(b))

☒ Conviction and sentence

☐ Sentence only (18 U.S.C. Sec. 3742)

☐ Order (specify) _____

_____ entered on this action on _____ (date)

Sentence imposed: 41 months for Count I; 41 months for Count II;
and 41 months for Count III. All terms to be
served concurrently

Bail status: Serving sentence; in the custody of the U.S.
Marshall

Viola Alegria
(Counsel for Appellant)

Date: 3/5/08

Address: P.O. Box 5106 CHRS
Saipan MP 96950

Phone number: (670) 233-8534

Fax number: (670) 233-8538

Name of Court Reporter: _____

Transcript required: Yes ☒ No ☐

If "Yes", date ordered or to be ordered _____ (including
arrangements for payment with court reporter)

[If transcript required, complete Transcript Order Form CA9-036, contact court reporter immediately
to make arrangements for transcription].

[CA9-88-1NOA]

UNITED STATES DISTRICT COURT

District of Northern Mariana Islands

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

V.

SUN, WEI QIN

Case Number: CR-07-00024-001

USM Number: 000548-005

Attorney Viola Alepuyo

Defendant's Attorney

COPY of
Original Filed
on this date

FEB 22 2008

Clerk
District Court
For The Northern Mariana Islands

THE DEFENDANT:

- ☐ pleaded guilty to count(s) _____
- ☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.
- ☒ was found guilty on count(s) I, II, and III
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 USC §371	Conspiracy to Commit Foreign Transportation for	3/23/2007	1
	Prostitution and Foreign Transportation of a Person in		
	Execution of a Fraud Scheme		

The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____
- ☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

2/22/2008

Date of Imposition of Judgment



Signature of Judge

Hon. Alex R. Munson

Name of Judge

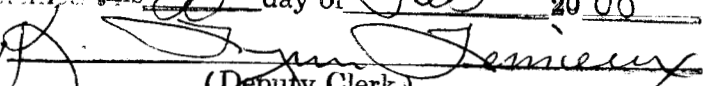
Chief Judge

Title of Judge

2-22-08

Date
A TRUE COPY

Certified this 22nd day of Feb 20 08

By  (Deputy Clerk)

[illegible]

DEFENDANT: SUN, WEI QIN
CASE NUMBER: CR-07-00024-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

41 months for Count I; 41 months for Count II; and 41 months for Count III. All terms to be served concurrently.

☒ The court makes the following recommendations to the Bureau of Prisons:

The defendant shall participate in any available psychological counseling programs offered by the Bureau of Prisons.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: SUN, WEI QIN
CASE NUMBER: CR-07-00024-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

Three years for Count I; Three years for Count II; and Three years for Count III; all to run concurrently.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☒ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: SUN, WEI QIN
CASE NUMBER: CR-07-00024-001

SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall be delivered to a duly authorized immigration official for deportation proceedings pursuant to 18 U.S.C. § 3583(d), and with the established procedures provided by the Immigration and Nationality Act under 8 U.S.C. § 1101. If deported, the defendant shall remain outside and shall not re-enter the United States without the permission of the Attorney General. If deportation fails to occur and the defendant is released pending immigration proceedings, she shall immediately report to the U.S. Probation Office to begin her term of supervised release;
2. As a further condition of that supervised release, the defendant shall comply with state, territory, or commonwealth requirements under the Sex Offender Registration and Notification Act and register as a sex offender where she resides and for the initial registration, she shall register in the jurisdiction in which convicted if such jurisdiction is different from the jurisdiction of residence; she shall provide information required by 42 U.S.C. § 16914; and she shall keep such registration current for the full registration period as set forth in 42 U.S.C. § 16915;
3. The defendant shall not commit any Federal, state, and local crimes;
4. The defendant shall comply with the conditions of Supervised Release as adopted by this Court;
5. The defendant shall not possess a firearm or other dangerous weapon as defined by federal, state, or local law or have these weapons at her residence;
6. The defendant shall cooperate in the collection of DNA as directed by the U.S. Probation Office;
7. The defendant shall not use or possess illegal controlled substances and shall submit to one urinalysis test within 15 days of release from custody, and to two more urinalysis thereafter, not to exceed eight tests per month; and
8. The defendant shall perform 500 hours of community service.

DEFENDANT: SUN, WEI QIN
 CASE NUMBER: CR-07-00024-001

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 300.00	\$ 0.00	\$ 9,529.00

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Xiu Lan Lin	\$9,529.00	\$9,529.00	100%

TOTALS	\$ <u>9,529.00</u>	\$ <u>9,529.00</u>
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: SUN, WEI QIN
CASE NUMBER: CR-07-00024-001

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☒ Lump sum payment of \$ 9,829.00 due immediately, balance due
- ☐ not later than _____, or
☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.



Viola Alepuyo <valepuyo@gmail.com>

Activity in Case 1:07-cr-00024 USA v. Sun Judgment

2 messages

ecf-nmid@nmid.uscourts.gov <ecf-nmid@nmid.uscourts.gov>

Mon, Feb 25, 2008 at 9:45 AM

To: ecf-nmid@nmid.uscourts.gov

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

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U.S. District Court

Northern Mariana Islands

Notice of Electronic Filing

The following transaction was entered on 2/25/2008 at 9:45 AM GMT+10 and filed on 2/22/2008

Case Name: USA v. Sun**Case Number:** 1:07-cr-24**Filer:****Document Number:** 17**Docket Text:**

JUDGMENT as to Wei Qin Sun (1), Count(s) 1-3. Signed by Chief Judge Alex R. Munson on 2/22/08. (Attachments: # (1) Statement of Reasons - Not for Public Disclosure) (ACH)

1:07-cr-24-1 Notice has been electronically mailed to:Joseph James N Camacho (Terminated) jjncamacho@gmail.comViola Alepuyo valepuyo@gmail.comEric S. O'Malley eric.omalley@usdoj.gov, Erlinda Villagomez Erlinda.Villagomez@usdoj.gov, MaryLynn.Yamada-Sablan MaryLynn.Yamada-Sablan@usdoj.gov, Nicole.Benjamin Nicole.Benjamin@usdoj.gov, omalleye1@yahoo.com**1:07-cr-24-1 Notice will be delivered by other means to:**

The following document(s) are associated with this transaction:

Document description:Main Document**Original filename:**n/a**Electronic document Stamp:**

[STAMP dcecfStamp_ID=1107461626 [Date=2/25/2008] [FileNumber=28566-0]
[544af2a978ee468134503060d98250b13850ded2a23f621c5fb96a2360e7166a23f39
b59fa4e67c5aba9292f7af8b55c11f0d671226ad10010e9f415cbabc1c7]]

Document description: Statement of Reasons - Not for Public Disclosure**Original filename:**n/a**Electronic document Stamp:**

[STAMP dcecfStamp_ID=1107461626 [Date=2/25/2008] [FileNumber=28566-1]
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167e2d0ef54fd9f8c7299984b36b43fc4b339eb2bbc2ec61385166f391c]]

Joseph Camacho <jjncamacho@gmail.com>

Mon, Feb 25, 2008 at 1:26 PM

To: Viola Alepuyo <valepuyo@gmail.com>

[Quoted text hidden]

Floor Leader JOSEPH CAMACHO, CNMI Legislature. To view Legislative Bills, visit www.camachocnmi.com



Viola Alepuyo <valepuyo@gmail.com>

Activity in Case 1:07-cr-00024 USA v. Sun Sentencing

2 messages

ecf-nmid@nmid.uscourts.gov <ecf-nmid@nmid.uscourts.gov>

Mon, Feb 25, 2008 at 2:12 PM

To: ecf-nmid@nmid.uscourts.gov

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U.S. District Court

Northern Mariana Islands

Notice of Electronic Filing

The following transaction was entered on 2/25/2008 at 2:12 PM GMT+10 and filed on 2/25/2008

Case Name: USA v. Sun

Case Number: 1:07-cr-24

Filer:

Document Number: 18

Docket Text:

AMENDED Minute Entry for proceedings held before Chief Judge Alex R. Munson: Sentencing held on 2/25/2008 for Wei Qin Sun (1), Count(s) 1, 2, 3: 41 months imprisonment as to each count, to be served concurrently; 41 months supervised release as to each count, to run concurrently; \$300 Assessment Fee. (Court Reporter SNS.) (TPM)

1:07-cr-24-1 Notice has been electronically mailed to:

Joseph James N Camacho (Terminated) jjncamacho@gmail.com

Viola Alepuyo valepuyo@gmail.com

Eric S. O'Malley eric.omalley@usdoj.gov, Erlinda Villagomez Erlinda.Villagomez@usdoj.gov, MaryLynn.Yamada-Sablan MaryLynn.Yamada-Sablan@usdoj.gov, Nicole.Benjamin Nicole.Benjamin@usdoj.gov, omalleye1@yahoo.com

1:07-cr-24-1 Notice will be delivered by other means to:

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1107461626 [Date=2/25/2008] [FileNumber=28604-0]

[4dc5846ace674c389e7225ebef56468933d15015be5cbcd2162bcc6052c86885f919d

7a16e94ae8ba4140ca28b9a3b19ef7e9cd11cbe849e96673f2246182f76]]

Joseph Camacho <jjncamacho@gmail.com>

Mon, Feb 25, 2008 at 2:37 PM

To: Viola Alepuyo <valepuyo@gmail.com>

[Quoted text hidden]

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